

# Notice of Allowability

Application No.

10/007,456

Examiner

Amanda H Merlino

Applicant(s)

LACOVARA, PHILIP

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable; PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9/20/04.
2. ☒ The allowed claim(s) is/are 1-4, 6-21 and 29-33.
3. ☒ The drawings filed on 05 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/14/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

SEBASTIAN J. YOUTLEY, JR.  
PRIMARY EXAMINER

***Reasons for Allowance***

Claim 1-4,6-21 and 29-33 allowed.

As to claims 1-4 and 6-12, the prior of record, taken alone or in combination, fails to disclose or render obvious a method for detecting fiducial marking in a tufted carpet material comprising the steps of directing light at the tufted carpet material which has at least one fiducial marking in the first wavelength range, to cause the fiducial marking to absorb the light in the first wavelength and to fluoresce in the second wavelength, in combination with the rest of the limitations of claim 1.

As to claims 13-21, the prior of record, taken alone or in combination, fails to disclose or render obvious a method for detecting fiducial markings in a moving carpet material, the fiducial markings in a configuration designed to be related to the pattern of the carpet comprising the steps of directing light at the tufted carpet material which has at least one fiducial marking in the first wavelength range, to cause the fiducial marking to absorb the light in the first wavelength and to fluoresce in the second wavelength, in combination with the rest of the limitations of claim 21.

As to claims 29-33, the prior of record, taken alone or in combination, fails to disclose or render obvious a method for detecting a fiducial marking of a carpet material, the fiducial markings in a configuration designed to be related to the pattern of the carpet comprising the steps of directing light at the tufted carpet material which has at least one fiducial marking in the first wavelength range, to cause the fiducial marking to absorb the light in the first wavelength and to fluoresce in the second wavelength, in combination with the rest of the limitations of claim 29.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda H Merlino whose telephone number is 571-272-2421. The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J Toatley, Jr. can be reached on 571-272-2800 ext 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Amanda H Merlino *ahm*  
Patent Examiner  
Art Unit 2877  
December 2, 2004

*[Signature]*  
Gregory J Toatley, Jr.  
Supervisory Patent Examiner  
*F Dec 21*